# IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

JAMES SCHERER, in his capacity as	)
Shareholders Representative,	)
	)
	)
Plaintiff,	j
	) C A No. 1.12 ov 01195 CMS
VS.	) C.A. No. 1:13-cv-01185-GMS
THERMO FISHER SCIENTIFIC INC.,	)
	)
	)
Defendant	)

### JOINT STIPULATION OF DISMISSAL WITH PREJUDICE

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), plaintiff James Scherer and defendant Thermo Fisher Scientific Inc. hereby stipulate that this action be dismissed with prejudice, waiving all rights of appeal, and with each party bearing its own costs and fees.

## ASHBY & GEDDES, P.A

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Dated: October 27, 2014

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Attorneys for Defendant Thermo Fisher Scientific Inc.

IT IS SO ORDERED this  $\frac{30}{100}$  day of October 2014.

The Honorable Gregory M.